

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition – Adilabad District – Tiryani (Mandal) –Islampur (Village) – O.P.No.8/97 – Sanction of **Rs.34,00,860/-** - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A1) DEPARTMENT

G.O.RT.NO.767

DATE:1610.2008

Read:

From the Spl.CS to Govt & Chief Commissioner of Land Admn.AP, Hyd
CCLA's Lr.No.G3/784/2008, dt:23.07.2008 along with the proposal of the
District Collector, Adilabad District.

O R D E R:

The Special Chief Secretary & Chief Commissioner of Land Administration, Hyderabad has submitted the proposals for sanction of an amount of Rs.34,00,860/- in respect of O.P.No.8/97 pertaining to Islampur (V) Tiryani (M) of Adilabad District. The then District Collector has reported that on requisition filed by the Executive Engineer, VVP, Asifabad an extent of 103.12 Acres of land and 53 residential houses at Islampur (V) of Thiryani (M) has been acquired for submergence in Chelmala Vagu Project and the Award was passed by the RDO, Utnoor vide Proceedings No.C/2076/89, dt:12.08.96 duly fixing the land value @Rs.8,000/- per acre and Rs.5,000/- for structure under submergence along with statutory benefits. Aggrieved by the award passed by the LAO/RDO, Utnoor, the awardees have filed petition U/s 18 of L.A.Act with request to refer the case to the Civil Court for adjudication. On reference the Sr.Civil Judge Court, Asifabad has enhanced the land value from Rs.8,000/- to Rs.20,000/- per acre and structure value from Rs.5,000/- to Rs.6,000/- along with statutory benefits vide O.P.NO.8/97. The enhancement is above 100% the appeals are filed against the orders of Sr.Civil Judge, Asifabad in the Hon'ble High Court of A.P, Hyd No.LAAS 816/2096. Mean while the claimants have filed E.P.No.6/08 for realization of decretal amount. The RDO, Utnoor has filed stay petitions against E.P with Hon'ble High Court of A.P, Hyd. The Hon'ble H.C of A.P, Hyd has granted conditional stay orders to deposit the 50% of the decretal amount within (6) weeks from the date of order that is from 17.04.2008.

2) After careful examination of the matter, Government hereby accord sanction for an amount of Rs.34,00,860/- (Rupees Thirty four lakhs eight hundred and sixty only) towards 50% of decretal charges in O.P.No.8/97 pertaining to Islampur (V) Tiryani (M) of Adilabad District subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector will verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The District Collector, Adilabad is directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants of O.P.No.8/97 for avoiding intervention of the middlemen. He is also requested to seek further extension of time for depositing the same in filing a suitable petition in consultation with G.P concerned as the time (six weeks) has already expired.

4) The expenditure sanctioned in para (2) above shall be debitable to the following Head of Account "4701- 03 – Medium Irrigation – M.H.800 – Other expenditure S.H (04) - Project Establishment under Chief Engineer Medium Irrigation S.H (26) Dams & Appurtenant works – 530 – Major works – 532 – lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O.No.26159/1105/Exp.P.W/2008, dated:17.09.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Collector, Adilabad District.

The Chief-in- Engineer, Minor Irrigation, Erramanzil, Hyderabad.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.22627/LA-III(A2)/2008

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER